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IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, ) CR. NO. S-05-128 LKK  
Plaintiff, ) ORDER DECLARING CASE  
v. ) COMPLEX AND FINDING  
JAMES KALFSBEEK, et al. ) EXCLUDABLE TIME  
Defendants. )

This matter came on regularly for hearing on September 7, 2005, in the courtroom of the Honorable Lawrence K. Karlton. Scott Tedmon appeared on behalf of the defendant, James Kalfsbeek; Robert Peters appeared on behalf of defendant Sherwood T. Rodrigues; Dwight M. Samuel appeared on behalf of defendant Kurt Lakota; Marcus D. Merchasin appeared on behalf of defendant Amy Polnoff; Steven Helfand appeared on behalf of defendant David Polnoff; Candace Fry appeared on behalf of defendant Louise Renfro; James R. Greiner appeared on behalf of defendant Blanche Patricia Hassall; and Joseph J. Wiseman appeared on behalf of defendant Donna Rowe. Defendants James Kalfsbeek, Amy Polnoff, David Polnoff and Donna Rowe were personally present. The remaining defendants had previously filed waivers of appearance. Assistant U.S. Attorneys R. Steven Lapham

1 and Kenneth J. Melikian appeared for the United States.

2 Having been advised by all defense counsel that there is a  
3 considerable amount of discovery that remains to be reviewed and  
4 that defendants need additional time to complete their review and  
5 prepare their respective defenses, including pretrial motions, and  
6 having considered the nature of the charges confronting the  
7 defendant, and good cause appearing therefor,

8 The court reiterates its previous finding that this is an  
9 unusual and complex case within the meaning of 18 U.S.C.  
10 §3161(h)(8)(B)(ii) in that it is unreasonable to expect adequate  
11 preparation for pretrial proceedings or for trial within the time  
12 limits established by the Speedy Trial Act, and that the ends of  
13 justice therefore outweigh the best interest of the public in a  
14 speedy trial. Accordingly,

15 IT IS ORDERED that this matter is continued to January 10,  
16 2006, at 9:30 a.m., for further Status Conference.

17 IT IS FURTHER ORDERED that, pursuant to 18 U.S.C. §3161(h)(8)  
18 (B)(ii) and (iv), the period from September 7, 2005, to and  
19 including January 10, 2006, is excluded from the time computations  
20 required by the Speedy Trial Act.

21 DATED: September 9, 2005

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23 /s/Lawrence K. Karlton  
24 HON. LAWRENCE K. KARLTON  
Senior U.S. District Judge  
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